

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAGHVENDRA SINGH,

Case No. 2:24-cv-0881-JDP (P)

Petitioner,

v.

ORDER TO SHOW CAUSE

JEFF MACOMBER,

Respondent.

On July 17, 2024, the court screened petitioner's petition for writ of habeas corpus and notified petitioner that it failed to state a claim. The court granted petitioner thirty days to file an amended petition. ECF No. 13. Petitioner did not file an amended petition by that deadline, and accordingly, on September 30, 2024, the court ordered petitioner to show cause for his failure to prosecute and failure to comply with court orders. ECF No. 14. Petitioner responded by requesting additional time to file an amended petition. ECF No. 14. The court granted petitioner twenty-one days from October 30, 2024, to file an amended petition for a writ of habeas corpus. ECF No. 16. To date, petitioner has not done so.

To manage its docket effectively, the court imposes deadlines and requires litigants to meet those deadlines. The court may dismiss a case based on petitioner's failure to prosecute or failure to comply with its orders or local rules. *See Fed. R. Civ. P. 41; Hells Canyon Pres. Council v. U.S. Forest Serv.*, 403 F.3d 683, 689 (9th Cir. 2005) ("[T]he consensus among our

1 sister circuits, with which we agree, is that courts may dismiss under Rule 41(b) sua sponte, at
2 least under certain circumstances.”). Involuntary dismissal is a harsh penalty, but the court has a
3 duty to administer justice expeditiously and avoid needless burden for the parties. *See*
4 *Pagtalunan v. Galaza*, 291 F.3d 639, 642 (9th Cir. 2002); Fed. R. Civ. P. 1.

5 Petitioner will be given a final opportunity to explain why the court should not dismiss his
6 case for failure to file an amended petition. Petitioner’s failure to respond to this order will
7 constitute a failure to comply with a court order and will result in dismissal of this case.
8 Accordingly, petitioner must show cause within twenty-one days of the date of entry of this order
9 why the court should not dismiss his case for failure to state a claim, failure to prosecute, and
10 failure to comply with a court order. Should petitioner wish to continue with this lawsuit, he shall
11 also file, within twenty-one days, an amended petition for writ of habeas corpus.

12 IT IS SO ORDERED.
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14 Dated: December 4, 2024


15 JEREMY D. PETERSON
16 UNITED STATES MAGISTRATE JUDGE

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